

**To:** Watanabe, Allison[Watanabe.Allison@epa.gov]  
**Cc:** Kirk Shermer[Kirk@snowdenenterprises.com]; 'Janelle Kay'[Janelle@PyxisRC.com]  
**From:** Coleen Lira  
**Sent:** Tue 4/26/2016 6:44:12 PM  
**Subject:** FW: Snowden - EPA Civil Administrative Penalty Enforcement Case  
[2011 Pesticide Report \(EPA Form 3540-16\).pdf](#)  
[2012 Pesticide Report \(EPA Form 3540-16\).pdf](#)  
[2013 Pesticide Report \(EPA Form 3540-16\).pdf](#)  
[2014 Pesticide Report \(EPA Form 3540-16\).pdf](#)

Good afternoon Allison,

Could you please resend the 2013 Pesticide Report Form? The one attached from the email you sent to Kirk does not have page 2.

Thank you,

Coleen White

Snowden Enterprises, Inc.

Phone	(559) 237-5546
Fax	(559) 237-6383
Email	<a href="mailto:coleen@snowdenenterprises.com">coleen@snowdenenterprises.com</a>

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

**From:** Kirk Shermer  
**Sent:** Tuesday, April 26, 2016 9:56 AM  
**To:** Coleen Lira <Coleen@snowdenenterprises.com>  
**Subject:** FW: Snowden - EPA Civil Administrative Penalty Enforcement Case

Kirk Shermer

Snowden Enterprises, Inc.

Phone	(559) 237-5546
Cell	<div>Ex. 6 - Personal Privacy</div>
Fax	(559) 237-6383
Email	<a href="mailto:kirk@snowdenenterprises.com">kirk@snowdenenterprises.com</a>

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

**From:** Watanabe, Allison [<mailto:Watanabe.Allison@epa.gov>]  
**Sent:** Friday, April 22, 2016 8:30 AM  
**To:** Kirk Shermer <[Kirk@snowdenenterprises.com](mailto:Kirk@snowdenenterprises.com)>  
**Cc:** Janelle Kay <[Janelle@PyxisRC.com](mailto:Janelle@PyxisRC.com)>; Alkon, Margaret <[Alkon.Margaret@epa.gov](mailto:Alkon.Margaret@epa.gov)>  
**Subject:** RE: Snowden - EPA Civil Administrative Penalty Enforcement Case

Mr. Shermer,

Attached are the Section Seven annual reporting forms for 2011, 2012, 2013, and 2014 in case you need them.

The 2015 form is available on the website: <https://www.epa.gov/compliance/epa-form-3540-16-pesticide-report-pesticide-producing-and-device-producing-establishments>

Note that you need only correct the reports from 2011 – 2015.

We are also encouraging everyone to register for CDX and begin reporting electronically.

Here is some more information about how to register and how to submit annual reports.

### **How to Register for CDX for New Users or Add SSTs to Existing CDX Users**

Link to the recorded webinar:

**<https://epawebconferencing.acms.com/p1k0cpy29lo/>**

### **How to Use CDX to Submit EPA Form 3540-16 Pesticide Report for Pesticide-Producing and Device-Producing Establishments**

Link to the recorded webinar:

**<https://epawebconferencing.acms.com/pzszaesf4e/>**

Thank you.

Allison Watanabe

US Environmental Protection Agency

Region 9 FIFRA Enforcement

213-244-1807

**From:** Alkon, Margaret

**Sent:** Wednesday, April 20, 2016 5:17 PM

**To:** Kirk Shermer <[Kirk@snowdenenterprises.com](mailto:Kirk@snowdenenterprises.com)>

**Cc:** Janelle Kay <[Janelle@PyxisRC.com](mailto:Janelle@PyxisRC.com)>; Watanabe, Allison <[Watanabe.Allison@epa.gov](mailto:Watanabe.Allison@epa.gov)>

**Subject:** Snowden - EPA Civil Administrative Penalty Enforcement Case

Dear Mr. Shermer:

I am following up on our conversation of last week with two points to discuss.

First, have you mailed to me the financial information we discussed, to verify the size of business (gross revenue) of Snowden Enterprises? If so, please let me know when it was mailed so I can check with my mail room. If not, let me know if there is an issue with identifying or sending to me the relevant information.

Once I get that information, I will revise the penalty settlement document and send it to you for review and signature.

Second, we also want to discuss one more point regarding compliance with FIFRA: For section 7 reporting, Snowden should be reporting formulation when it appears that you have been reporting repackaging. We would like Snowden to correct its incomplete Section 7 reports within the next thirty days and prior to certifying compliance with FIFRA in the settlement document. As I am sure you will wonder if this involves an additional penalty, I am including a link to our penalty policy below but there is no penalty assessed for this type of minor incomplete reporting when a first time violator promptly corrects the error. See page 8 of EPA's Enforcement Response Policy for FIFRA Section 7(c).

<https://www.epa.gov/enforcement/enforcement-response-policy-fifra-section-7c-establishment-reporting-requirements-may>

Allison and I would be available for a short phone call Thursday April 21<sup>st</sup> at 11am or Tuesday April 26<sup>th</sup> at 10am. Let me know if either of those times works for you, or propose a different time if neither of those times works for you.

Sincerely,

Margaret Alkon

~~~~~  
Margaret Alkon

Assistant Regional Counsel (ORC-2)

U.S. EPA, Region IX

75 Hawthorne St.

San Francisco, CA 94105

Email: [alkon.margaret@epa.gov](mailto:alkon.margaret@epa.gov)

Direct Dial: (415) 972-3890

Fax: (415) 947-3570  
~~~~~